



The Secretary of Energy
Washington, DC 20585

February 29, 2000

MEMORANDUM FOR HEADS OF ALL DEPARTMENTAL ELEMENTS

**SUBJECT: ESTABLISHMENT OF THE NATIONAL NUCLEAR SECURITY
ADMINISTRATION**

On March 1, 2000 the National Nuclear Security Administration (NNSA) formally begins operation. This memorandum describes the Department's policy regarding the provision of administrative, business, and other support services, as needed, by the rest of the Department to NNSA and the applicability of existing Departmental directives to NNSA. In addition, I also want to take this opportunity to announce that I have designated Under Secretary Moniz as the Secretary's Special Negotiator for Russian Initiatives. Prior to the confirmation of the Under Secretary for Nuclear Security, Under Secretary Ernest J. Moniz will continue to oversee implementation of the action plan I put forward in response to the 30-Day Review of Stockpile Stewardship that he led last year. Therefore, he will serve as the Interim Director for Nuclear Weapons Policy Implementation.

Provision of Administrative, Business, and Other Support Services

As Secretary of Energy, I have determined that the Department of Energy's non-NNSA components should continue to provide administrative, business, and other support services to NNSA, as needed. This continuity is needed for the overall efficiency of the Department as well as to ensure consistency in the operations of NNSA and non-NNSA components within the Department.

Examples of the many types of administrative, business, and other support services that will be provided to NNSA, as needed, are processing of Freedom of Information Act requests, investigating claims of discrimination, and assistance with processing financial, procurement and personnel actions.

The NNSA Act provides that employees of NNSA may not be responsible to, or subject to the authority, direction, or control of, any officer, employee, or agent of the Department, other than an employee of the NNSA, the Secretary, and the Deputy Secretary. This restriction means that a non-NNSA employee of the Department cannot supervise a NNSA employee, nor may a non-NNSA employee order or mandate that a NNSA employee take specific actions. However, it does not prohibit non-NNSA employees from providing advice and assistance to NNSA employees. NNSA employees should seek such advice and assistance from employees of non-NNSA components, as appropriate. If you have any questions with regard to the NNSA Act restrictions, please contact your designated program counsel in the Office of General Counsel for assistance.



Department Directives

In general, all statutes, regulations, delegations, acquisition and financial assistance letters, and directives, including policy statements, orders, notices, manuals, guides, technical standards and any other memorandum from the Office of the Secretary establishing policy, applicable to the Department of Energy that were in effect on February 29, 2000 continue to apply to Department functions and activities that have been transferred to NNSA. You will receive additional guidance concerning any issuances that have provisions in them that are not consistent with the NNSA Act.

Further, effective today all new or revised regulations, delegations, and directives, including policy statements, orders, notices, manuals, guides, and technical standards, must be issued by either the Secretary or the Deputy Secretary. This procedure will ensure that NNSA and the remainder of the Department will have consistent policies.

You must review the regulations, delegations, and directives promulgated by your office in order to determine whether they are in need of revision because of the establishment of NNSA. Drafts of revised issuances should be submitted as soon as possible, but in no event later than May 1, 2000. Draft regulations should be submitted to your program counsel, draft delegations should be submitted to LaVerne Fuller, and draft directives should be submitted to Susan Hargrove. You should also take this opportunity to verify that these documents are accurate and complete in all other respects.

If you have any questions about delegations or directives, please contact LaVerne Fuller at (202)586-1996 or Susan Hargrove at (202)586-4108.



Bill Richardson
Secretary of Energy and
Acting Under Secretary for Nuclear Security

cc: The Deputy Secretary
Under Secretary Moniz